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SECRETARY OF STATE

NEBRASKA MINIMUM WAGE INITIATIVE PETITION DRAFT

Object Statement

The object of this Petition is to amend Nebraska's minimum wage law to increase the state minimum wage from nine dollars (\$9.00) per hour to ten dollars and fifty cents (\$10.50) per hour on January 1, 2023, to twelve dollars (\$12.00) per hour on January 1, 2024, to thirteen dollars and fifty cents (\$13.50) per hour on January 1, 2025, and to fifteen dollars (\$15.00) per hour on January 1, 2026, to be adjusted annually thereafter to account for increases in the cost of living.

Proposed Text of Statutory Initiative Petition

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend sections 48-1203, Revised Statutes Cumulative Supplement, 2020; to change the minimum wage as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 48-1203, Revised Statutes Cumulative Supplement, 2020, is amended to read:

48-1203 (1) Except as otherwise provided in this section and section 48-1203.01, every employer shall pay to each of his or her employees a minimum wage of:

(a) ~~Seven dollars and twenty-five cents per hour through December 31, 2014;~~

(b) ~~Eight dollars per hour on and after January 1, 2015, through December 31, 2015; and~~

(e) (a) ~~Nine dollars per hour on and after January 1, 2016. through December 31, 2022;~~

(b) Ten dollars and fifty cents per hour on and after January 1, 2023 through December 31, 2023;

(c) Twelve dollars per hour on and after January 1, 2024, through December 31, 2024;

(d) Thirteen dollars and fifty cents per hour on and after January 1, 2025, through December 31, 2025; and

(e) Fifteen dollars per hour on and after January 1, 2026, through December 31, 2026.

(2) The minimum wage established in subdivision (1)(e) of this section shall be increased on January 1, 2027, and on January 1 of successive years, by the increase in the cost of living. The increase in the cost of living shall be measured by the percentage increase, if any, as of August of the previous year over the level as of August of the year preceding that year in the consumer price index for all urban consumers (CPI-U) for the Midwest Region, or its successor index, as published by the U.S. Department of Labor, or its successor agency, with the amount of the minimum wage increase rounded up to the nearest multiple of five cents. No later than October 15 of each year, commencing October 15, 2026, the Nebraska Department of Labor shall calculate and publish the minimum wage rate that will take effect the following January 1.

(3) For persons compensated by way of gratuities such as waitresses, waiters, hotel bellhops, porters, and shoeshine persons, the employer shall pay wages at the minimum rate of two dollars and thirteen cents per hour, plus all gratuities given to them for services rendered. The sum of wages and gratuities received by each person compensated by way of gratuities shall equal or exceed the applicable minimum wage rate provided in subsection (1) or (2) of this section. In determining whether or not the individual is compensated by way of gratuities, the burden of proof shall be upon the employer.

(4) Any employer employing student-learners as part of a bona fide vocational training program shall pay such student-learners' wages at a rate of at least seventy-five percent of the minimum wage rate which would otherwise be applicable.

Section 2. Original section 48-1203, Revised Statutes Cumulative Supplement, 2020, is repealed.